

1 HON. RICARDO S. MARTINEZ
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9 **UNITED STATES DISTRICT COURT**
10 **WESTERN DISTRICT OF WASHINGTON**
11 **AT SEATTLE**

12 DALI-USA, Inc., a Washington
13 corporation,

14 Plaintiff,
15 vs.

16 ILONA KUCHERENKO, a person of
17 unknown origin, d/b/a AUDIOPHILE
18 LIQUIDATOR; and JOHN DOES 1-5,
19 persons or entities of unknown origin,

20 Defendants.

21 NO. 2:06-CV-01811-RSM

22 **FIRST AMENDED COMPLAINT**
JURY DEMAND

23 DALI-USA, INC., a Washington corporation, upon personal information as to
24 its own activities, and upon information and belief as to the activities of others,
25 hereby alleges for its complaint against Ilona Kucherenko (“*Kucherenko*”), and
26 John Does (1-5) (“*John Does*”), as follows:

27 **I. NATURE OF THE CASE**

28 1.1. This is an action for trademark and copyright infringement.

1.2. Plaintiff DALI-USA, Inc. (“*DALI*”) is an indirect subsidiary, and
exclusive United States licensee, of AudioNord Danmark, owner of the valuable
DALI™ trademark for home audio goods and services. DALI also owns the
copyrights in photographs of its products and the descriptions and specifications of
those products.

1.3. Defendants are infringing upon DALI's rights in the DALI™ trademark (the “*Mark*”). Defendants operate various websites (the “*Infringing Sites*”) which advertise and take orders for DALI products, but deliver non-DALI branded products or attempt to persuade the customers to accept non-DALI replacement products. Defendants also use the Mark in a variety of ways in the Infringing Sites and in advertising these sites, despite having no relationship to Dali or any authorization to use the Mark. Defendants are also infringing on DALI’s copyrighted material (the “*Material*”) by reproducing copies or derivative works of such material on the Infringing Sites.

II. PARTIES

2.1. Plaintiff DALI-USA, Inc. is a corporation organized and existing under the laws of the State of Washington, having its principal place of business located at 3957 Irongate Road, Bellingham, Washington, 98226.

2.2. Defendant Ilona Kucherenko is a person of unknown origin who purports to do business under the Audiophile Liquidator name at 8491 W. Sunset Boulevard #438, Los Angeles, CA 90069.

2.3. Defendants John Does are persons or entities of unknown domicile who are working with Kucherenko with regards to the actions alleged herein.

III. JURISDICTION AND VENUE

3.1. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331, because the causes of action alleged herein arise under the Lanham Act, 15 U.S.C. § 1051, *et seq.* and the U.S. Copyright Act, 17 U.S.C. § 101, *et seq.* The Court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1337.

3.2. This Court has personal jurisdiction over Defendants because Defendants took acts directed to the State of Washington, purposefully availed themselves to the laws of the State of Washington, and transacted business with, and sold products and services to, customers located in the State of Washington.

1 3.3. Venue for this action is proper under 28 U.S.C. § 1331(b) in the United
 2 States District Court for the Western District of Washington because this is the
 3 judicial district in which a substantial part of the events or omissions giving rise to
 4 the claims alleged herein occurred.

5 **IV. FACTS**

6 **A. DALI – Background**

7 4.1. DALI is the preeminent producer of speakers and home audio
 8 products. DALI is a wholly owned subsidiary of DALI Denmark, which in turn is
 9 wholly owned by Audionord International (AudioNord Danmark).

10 4.2. DALI¹ has produced speakers since 1983, and over the years has
 11 developed a reputation for producing the highest quality audio products. DALI is a
 12 marquee name in the home audio/speaker market.

13 4.3. DALI's parent company sells and distributes its products on a
 14 worldwide basis. DALI is the United States arm of the company, which, as the
 15 exclusive US licensee for the Mark, handles the marketing and distribution of those
 16 products in the United States.

17 4.4. DALI takes substantial efforts to perfect and protect its intellectual
 18 property. Its brand is protected by the "DALI" trademark (U.S. Reg. No. 2,357,877)
 19 (the Mark). It strictly controls the licensing of the Mark and the distributors who
 20 are authorized to sell or distribute DALI products. Only these authorized
 21 distributors are licensed to use the Mark, and their use of the Mark is strictly
 22 limited.

23 4.5. Similarly, DALI expends significant resources photographing and
 24 creating marketing materials (the Materials) for its products.

25 4.6. The photographs are professionally taken in a manner that highlight
 26 the design of the products. Similarly, the descriptions, brochures, and the

27
 28 ¹ DALI refers to DALI-USA, INC. or DALI Denmark, as the context requires. DALI-USA,
 Inc. handles distribution in the United States for DALI Denmark and is the exclusive United States
 licensee for the Mark.

1 marketing materials are crafted in a manner that accentuates the features of the
2 products, consistent with the overall marketing message.

3 4.7. DALI owns the copyrights in the Materials, and licenses the Materials
4 to authorized dealers and distributors. True and correct copies of copyright
5 registrations in the Materials are attached hereto as *Exhibit A*.

6 **B. Acts of Infringements Perpetrated Via the Infringing Sites**

7 4.8. In 2006, DALI began receiving complaints from customers and
8 authorized distributors regarding various web sites which purported to offer DALI
9 products at heavily discounted prices (the Infringing Sites).

10 4.9. Numerous customers have complained to DALI and DALI's authorized
11 distributors that they ordered the DALI products advertised on the Infringing Sites
12 only to have the Infringing Sites either ship a replacement non-DALI product, or
13 "suggest an alternative".

14 4.10. Dealers have similarly complained that customers have inquired with
15 them as to the availability of DALI products at the pricing listed on the Infringing
16 Sites when no such products are offered at the Infringing Sites (either at that price
17 or otherwise).

18 4.11. In short, the Infringing Sites do not actually offer DALI products, but
19 advertise that they do.

20 4.12. The Infringing Sites all appear to be operated by the same individuals.
21 The Infringing Sites contain the name "Audiophile Liquidator" (or some variant) in
22 their text somewhere, and sell virtually the same products.

23 4.13. The Infringing Sites do not list a street address anywhere on the
24 Infringing Sites.

25 4.14. The domain names (the "*Infringing Domains*") through which the
26 Infringing Sites are made available are all registered to Kucherenko. The
27 Infringing Domains were registered on an anonymous basis by Kucherenko through
28

1 “proxy registration services” provided by Domains By Proxy, Inc. (“**DBP**”).²

2 4.15. Screenshots of one of the Infringing Sites, which purports to offer
3 DALI products are attached hereto as *Exhibit B*.

4 4.16. Defendants used, and continue to use, DALI’s trademarked and
5 copyrighted materials (the Mark and the Materials) in the context of a classic “bait
6 and switch” scheme.

7 4.16. The Infringing Sites are not operated by authorized retailers of DALI
8 products, and do not have a license to use the Mark or the Materials.

9 4.17. In engaging in this bait and switch scheme, Defendants materially
10 injured, and continue to injure, DALI’s brand and goodwill in the Mark, and its
11 rights in the Materials.

12

**V. FIRST CAUSE OF ACTION:
13 FALSE DESIGNATION OF ORIGIN AND UNFAIR COMPETITION
14 (15 U.S.C. § 1125)**

15 5.1. DALI incorporates the allegations set forth in paragraphs 1.1 through
16 4.17 above as though fully set forth herein.

17 5.2. By their use of the DALI™ Mark on the Infringing Sites, Defendants
18 used and continue to use DALI™ as a false designation of origin in such a manner
19 which is likely to cause confusion, or to cause mistake, or to deceive as to the
20 affiliation, connection, or association of Defendants with DALI.

21 5.3. By their use of the DALI™ Mark, Defendants used and continue to use
22 DALI™ as a false designation of origin in such a manner which is likely to cause
23 confusion, or to cause mistake, or to deceive as to the origin, sponsorship, or
24 approval of Defendants’ goods or services, or commercial activities, by DALI.

25 5.4. Defendants’ actions violate DALI’s rights under 15 U.S.C. § 1125(a).

26 5.5. Defendants’ actions, as described herein, caused, and continue to

28 2 Dali originally named DBP as a party. DBP divulged the identity of the registrant for all
29 of the Infringing Domains (Kucherenko) and placed the Infringing Domains on hold. Consequently,
30 DBP is no longer named as a party in the lawsuit.

1 cause, substantial damages to DALI and its interest in the Mark.

2
3 **VI. SECOND CAUSE OF ACTION:**
4 **FALSE ADVERTISING**
5 **(15 U.S.C. § 1125)**

6 6.1. DALI incorporates the allegations set forth in paragraphs 1.1 through
7 5.5 above as though fully set forth herein.

8 6.2. Defendants made false or misleading statements (via the Infringing
9 Sites) regarding DALI and its products and services, and regarding the Mark.

10 6.3. Defendants' statements actually deceive or are likely to deceive a
11 substantial segment of the advertisement's audience.

12 6.4. Defendants' statements concerned a subject material to the decision of
13 consumers to purchase the goods.

14 6.5. Defendants' statements relate to goods and services entering interstate
15 commerce.

16 6.6. Defendants' statements resulted in actual or probable injury to DALI.
17 The statements violate DALI's rights under 15 U.S.C. § 1125.

18 **VII. THIRD CAUSE OF ACTION:**
19 **COPYRIGHT INFRINGEMENT**
20 **(17 U.S.C. § 101)**

21 7.1. DALI incorporates the allegations set forth in paragraphs 1.1 through
22 6.6 above as though fully set forth herein.

23 7.2. DALI has registered copyrights in the photographs of its products, and
24 in marketing brochures and product libraries, which are displayed on Dali's website
25 (the "*Dali Site*") and the descriptions of the products (*i.e.*, the Materials).

26 7.3. Defendants had access to the Dali Site, including the Materials.

27 7.4. Defendants copied and/or created derivative works of the photographs
28 and the Materials.

29 7.5. Defendants are not licensed or authorized by DALI to use Dali's
30 copyrighted materials.

7.6. The foregoing acts of Defendants constitute infringement of DALI's exclusive rights in its copyrighted works under 17 U.S.C. § 106.

7.7. DALI has been and will continue to be damaged as a result of Defendants' unlawful infringement of DALI's copyrighted works in an amount to be proven at trial.

7.8. Upon information and belief, Defendants' actions were willful and wanton, and performed in blatant disregard of DALI's rights.

**VIII. FOURTH CAUSE OF ACTION:
TRADEMARK INFRINGEMENT
(15 U.S.C. §§ 1051, et seq.)**

8.1. DALI incorporates the allegations set forth in paragraphs 1.1 through 7.8 above as though fully set forth herein.

8.2. DALI has all rights (as exclusive US licensee) in the Mark.

8.3. Defendants used the Mark in commerce (including on the Infringing Sites).

8.4. Defendants' use of the Mark was and is connected with the sale, distribution, or advertising of goods and services.

8.5. Defendants used the Mark in a manner likely to cause consumer confusion.

8.6. Defendants' use of the Mark resulted in injury to DALI.

IX. FIFTH CAUSE OF ACTION: UNFAIR BUSINESS PRACTICES (RCW § 19.86.090)

9.1. DALI incorporates the allegations set forth in paragraphs 1 through 8.6 above as though fully set forth herein.

9.2. Defendants' actions herein constitute unfair or deceptive acts or practices in violation of RCW §19.86, *et seq.*

9.3. Defendants' actions occurred in the context of Defendants' trade or business.

1 9.4. Defendants' actions affect the public interest – there is a strong public
 2 interest in a marketplace which is free of misleading information. Defendants'
 3 actions contravene this public interest.

4 9.5. DALI has been injured in its business or property as a result of
 5 Defendants' actions. Defendants' misappropriates DALI's goodwill and customer
 6 base.

7 9.6. Defendants' actions caused DALI's injury.

8 9.7. Pursuant to RCW § 19.86.090, therefore, DALI is entitled to actual
 9 damages in amount to be factually determined, treble damages, and costs of suit,
 10 including reasonable attorneys' fees.

11 X. JURY DEMAND

12 Pursuant to Federal Rule of Civil Procedure Rule 38(b), DALI demands a
 13 trial by jury as to all issues so triable in this action.

14 XI. RELIEF REQUESTED

15 WHEREFORE, DALI prays for the following relief:

16 1. Injunctive Relief That this Court grant an injunction enjoining and
 17 restraining Defendants, as well as their partners, agents, servants, employees, and
 18 attorneys, and those persons in active concert or participation with them who
 19 receive actual notice of the order by personal service or otherwise from: (1) directly
 20 or indirectly using the Mark, or any other trademark or any other mark, symbol,
 21 device, word, domain name, fictitious business name, or name similar to the Mark
 22 (DALI™) which is likely to cause confusion or in a manner that violates DALI's
 23 rights under the Lanham Act; (2) reproducing, displaying, broadcasting,
 24 distributing, performing, or taking any other action reserved for the copyright
 25 owner of any of the Materials; and (3) continuing any and all acts of unfair
 26 competition as herein alleged.

27 2. Money Damages in the Amount of the Losses of DALI. That
 28 Defendants be required to pay DALI for all damages sustained by DALI by reason

1 of Defendants' improper acts complained herein.

2 3. Money Damages in the Amount of the Profits of Defendants. That
3 Defendants be required to pay DALI for all revenue Defendants or their agents or
4 licensees generated by reason of Defendants' improper acts complained herein.

5 4. Statutory Damages. That, pursuant to the Lanham Act, and
6 Copyright Act, and Washington Consumer Protection Act, the Court award DALI
7 statutory damages (to the extent available).

8 5. Costs. That, pursuant to the Lanham Act, Copyright Act, and
9 Washington Consumer Protection Act, and the principles of equity, the Court award
10 costs of this action to DALI.

11 6. Infringing Domains. That Defendants be required to disgorge the
12 Infringing Domains to DALI.

13 7. Attorney's Fees. That, pursuant to the Lanham Act, Copyright Act,
14 and Washington Consumer Protection Act, the Court award DALI its reasonable
15 attorney's fees incurred.

16 8. Other Equitable Relief. That the Court grant such other and further
17 relief as it shall deem just.

18
19 DATED this 26th day of February, 2007.

20 BALASUBRAMANI LAW

21 By:

22 
23 _____
24 Venkat Balasubramani (WSBA # 28269)
25 8426 40th Ave SW
26 Seattle WA, 98136
27 venkat@balasubramani.com
28 Fax: 206 260-3966

29
30 Attorneys for Plaintiff
31 DALI-USA, INC.

EXHIBIT A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form TX
For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX 6-493-458



EFFECTIVE DATE OF REGISTRATION

Dec 19 2006

Month Day Year

RATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

DALI SPEAKER LIBRARY COPYRIGHT REGISTRATION

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼	Number ▼	Issue Date ▼	On Pages ▼
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2

NAME OF AUTHOR ▼

a AUDIONORD

Was this contribution to the work a "work made for hire"?

* Yes

* No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ► DENMARK

Domiciled in ► DENMARK

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

If the answer to either of these questions is

Anonymous? Yes No "Yes," see detailed

Pseudonymous? Yes No instructions.

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

b

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼
COMPILATION OF TEXT AND DIGITAL IMAGES REPRESENTING A LIBRARY OF AUDIO SPEAKERS & ses.

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ►

Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

If the answer to either of these questions is

Anonymous? Yes No "Yes," see detailed

Pseudonymous? Yes No instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ►

Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

If the answer to either of these questions is

Anonymous? Yes No "Yes," see detailed

Pseudonymous? Yes No instructions.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3

a

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

This information must be given in all cases.

► Year 2006

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information Month ► JANUARY

Day ► 1 Year ► 2006

Nation ► UNITED STATES

See instructions before completing this space.

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

DALI USA
3957 IRONGATE ROAD
BELLINGHAM, WA 98226

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

DALI USA is the exclusive US entity of AUDIONORD

APPLICATION RECEIVED

DEC 19 2006

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

DEC 19 2006

FUNDS RECEIVED

DO NOT WRITE HERE
OFFICE USE ONLY

MORE ON BACK ▶ • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.

• See detailed instructions.

• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of names

EXAMINED BY	<i>[Signature]</i>	FORM TX
CHECKED BY		
<input type="checkbox"/> CORRESPONDENCE		FOR COPYRIGHT OFFICE USE ONLY
<input type="checkbox"/> Yes		

*Corrected by C.O. from phone call to
Matthew Jellett on 19 Jan 2007.

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give Previous Registration Number ►

Year of Registration ►

5

DERIVATIVE WORK OR COMPILED

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a 6

See instructions
before completing
this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

*compilation of digital images and short terms and phrases.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

a 7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

b

MATTHEW W. JELLETT, HUGHES LAW FIRM, PLLC
4164 MERIDIAN STREET, SUITE 302
BELLINGHAM, WA 98226

Area code and daytime telephone number ► 360-647-1296

Fax number ► 360-671-2489

Email ► mjellett@inventionlaw.com

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one

- { author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of DALI USA

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made
by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Date ► DECEMBER 18, 2006

Handwritten signature ▼

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼
HUGHES LAW FIRM, PLLC

Number/Street/Apt ▼
4164 MERIDIAN STREET, SUITE 302

City/State/Zip ▼
BELLINGHAM, WA 98226

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6222

9

*Amended by C.O. from phone call to
Matthew Jellett on 19 January 2007

EXAMINED BY *[Signature]*

FORM TX

CHECKED BY

CORRESPONDENCE

 YesFOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

 Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
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If your answer is "Yes," give: Previous Registration Number ►

Year of Registration ►

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a 6

See Instructions
before completing
this spec.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

*text, photographs and compilation of text and photographs.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼

a 7

Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

b

MATTHEW W. JELLETT, HUGHES LAW FIRM, PLLC
4164 MERIDIAN STREET, SUITE 302
BELLINGHAM, WA 98226

Area code and daytime telephone number ► 360-647-1296

Fax number ► 360-671-2489

Email ► mjellett@inventionlaw.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ►

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of DALI USA

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made
by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Date ► DECEMBER 18, 2006

Handwritten signature ▼

Certificate
will be
mailed in
window
envelope
to this
address:

Name ▼

HUGHES LAW FIRM, PLLC

Number/Street/Apt ▼

4164 MERIDIAN STREET, SUITE 302

City/State/Zip ▼

BELLINGHAM, WA 98226

YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

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IN THE SAME PACKAGE.

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO

Library of Congress
Copyright Office
101 Independence Avenue SE
Washington, DC 20559-6222

9

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America



Form TX

For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REI:

TX 6-493-457



#TX0006453457*

EFFECTIVE DATE OF REGISTRATION

Dec 19 2006

Month

Day

Year

URATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼

DALI SITE COPYRIGHT REGISTRATION

2 PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

3 NAME OF AUTHOR ▼

a AUDIONORD

Was this contribution to the work a "work made for hire"?

Yes

* No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ► DENMARK

Domiciled in ► DENMARK

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

If the answer to either of these questions is "Yes," see detailed instructions.

Anonymous? Yes No

Pseudonymous? Yes No

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see Instructions). For any part of this work that was "made for hire" check "Yes" in the space provided. Give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼ *text and COMPILATION OF TEXT AND ARTWORK EMBODIED ON A WEBSITE

b NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"?

Yes

No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR Citizen of ►

Domiciled in ►

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

If the answer to either of these questions is "Yes," see detailed instructions.

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Pseudonymous? Yes No

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c NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼

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Yes

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OR Citizen of ►

Domiciled in ►

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If the answer to either of these questions is "Yes," see detailed instructions.

Anonymous? Yes No

Pseudonymous? Yes No

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3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

This information must be given in all cases.
2006
Year

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published.
JANUARY
UNITED STATES
Month ► Year ► Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

DALI USA
3957 IRONGATE ROAD
BELLINGHAM, WA 98226

See instructions before completing this space.

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

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*Amended by C.O. from phone call to
Matthew W. Jellett on 20 Jan 2007.

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PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

 Yes No. If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼

- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ►

Year of Registration ►

5

DERIVATIVE WORK OR COMPILATION

Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

a

6

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before completing
this space.

Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

a

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

MATTHEW W. JELLETT, HUGHES LAW FIRM, PLLC
4164 MERIDIAN STREET, SUITE 302
BELLINGHAM, WA 98226

Area code and daytime telephone number ► 360-647-1296

Fax number ► 360-671-2489

Email ► mjellett@inventionlaw.com

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ►

- author
 other copyright claimant
 owner of exclusive right(s)
 authorized agent of DALI USA

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

8

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Date ► DECEMBER 18, 2006

MATTHEW W. JELLETT

Handwritten signature ▼

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- Complete all necessary spaces
- Sign your application in space 8

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Product Name+	Price	Buy Now
Dali Elegance 01 loudspeakers (each) silver	\$179.00	Buy Now!
Dali Elegance 5.1 satellite System (each) black	\$1,359.00	Buy Now!
Dali Elegance 5.1 satellite System (each) silver	\$1,359.00	Buy Now!
Dali Euphonia AS2 subwoofer (each) api	\$4,229.00	Buy Now!
Dali Euphonia AS2 subwoofer (each) cherry	\$3,949.00	Buy Now!

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	Dali Euphonias AS2 subwoofer (each) maple	\$3,949.00	Buy Now!
	Dali Euphonias CS4 Alpi (each)	\$2,899.00	Buy Now!
	Dali Euphonias CS4 Cherry/Maple(SHOWN) (each)	\$2,799.00	Buy Now!
	Dali Euphonias MS4 loudspeakers (pair) alpi	\$6,379.00	Buy Now!
	Dali Euphonias MS4 loudspeakers (pair) cherry	\$6,049.00	Buy Now!
	Dali Euphonias MS4 loudspeakers (pair) maple	\$6,049.00	Buy Now!
	Dali Euphonias MS4 loudspeakers (pair) rouge	\$6,379.00	Buy Now!



Dali Euphonie MS5 loudspeakers (pair) \$8,809.00
alpi

Buy Now!



Dali Euphonie MS5 loudspeakers (pair) \$8,479.00
cherry

Buy Now!



Dali Euphonie MS5 loudspeakers (pair) \$8,479.00
maple

Buy Now!



Dali Euphonie MS5 loudspeakers (pair) \$8,809.00
rouge

Buy Now!

	<u>Dali Euphonnia Phantom In-Wall speaker</u> (each) white paintable	\$1,080.00	Buy Now!
	<u>Dali Euphonnia RS3 speaker</u> (each) api	\$2,889.00	Buy Now!
	<u>Dali Euphonnia RS3 speaker</u> (each) cherry	\$2,889.00	Buy Now!
	<u>Dali Euphonnia RS3 speaker</u> (each) maple	\$2,889.00	Buy Now!
	<u>Dali Evidence 370 loudspeakers</u> (pair) black ash	\$829.00	Buy Now!
	<u>Dali Evidence 370 loudspeakers</u> (pair) cherry	\$829.00	Buy Now!
	<u>Dali Evidence 370 loudspeakers</u> (pair) maple	\$839.00	Buy Now!
	<u>Dali Evidence 470 loudspeakers</u> (pair) black ash	\$1,299.00	Buy Now!
	<u>Dali Evidence 470 loudspeakers</u> (pair) cherry	\$1,299.00	Buy Now!
	<u>Dali Evidence 470 loudspeakers</u> (pair) maple	\$1,369.00	Buy Now!
	<u>Dali Evidence 870 loudspeakers</u> (pair) black ash	\$1,969.00	Buy Now!

	<u>Dali Evidence 870 loudspeakers (pair)</u> <u>cherry</u>	\$1,969.00	Buy Now!
	<u>Dali Evidence 870 loudspeakers (pair)</u> <u>maple</u>	\$2,039.00	Buy Now!
	<u>Dali Evidence C70 center speaker</u> <u>(each) black ash</u>	\$549.00	Buy Now!
	<u>Dali Evidence C70 center speaker</u> <u>(each) cherry</u>	\$549.00	Buy Now!
	<u>Dali Evidence C70 center speaker</u> <u>(each) maple</u>	\$559.00	Buy Now!
	<u>Dali Helicon 300 loudspeakers (pair)</u> <u>cherry</u>	\$2,109.00	Buy Now!
	<u>Dali Helicon 300 loudspeakers (pair)</u> <u>rose nut</u>	\$2,109.00	Buy Now!
	<u>Dali Helicon 400 loudspeakers (pair)</u> <u>cherry</u>	\$3,019.00	Buy Now!
	<u>Dali Helicon 400 loudspeakers (pair)</u> <u>rosenut</u>	\$3,019.00	Buy Now!

	<u>Dali Helicon 800 loudspeakers (pair)</u> <u>cherry</u>	\$4,569.00	Buy Now!
	<u>Dali Helicon 800 loudspeakers (pair)</u> <u>rosenut</u>	\$4,569.00	Buy Now!
	<u>Dali Helicon C200 speaker (each)</u> <u>cherry</u>	\$1,359.00	Buy Now!
	<u>Dali Helicon C200 speaker (each)</u> <u>rosenut</u>	\$1,359.00	Buy Now!

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Product Name+	Price	Buy Now
Dali Helicon S600 subwoofer (each) <u>cherry</u>	\$1,549.00	Buy Now!
Dali Helicon S600 subwoofer (each) <u>rosenut</u>	\$1,549.00	Buy Now!
Dali Helikon Phantom speaker (each) <u>white paintable</u>	\$809.00	Buy Now!
Dali Helikon W200 speakers (pair) <u>cherry</u>	\$1,739.00	Buy Now!

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Earthquake Sound Platine Noiree
(two-tone)
\$3,299.00
\$2,999.00

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Dali Helikon W200 speakers (pair)
rosenut

\$1,739.00



Dali Ikon On-Wall speakers (pair) light
oak

\$669.00

Dali Ikon On-Wall speakers (pair) light
walnut

\$669.00

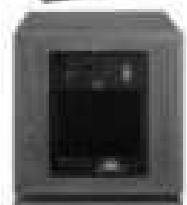
Dali Ikon Phantom speaker (each)

\$339.00



Dali Ikon Sub (each) black

\$699.00



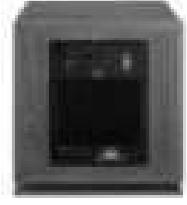
Dali Ikon Sub (each) light oak

\$699.00



Dali Ikon Sub (each) light walnut

\$699.00



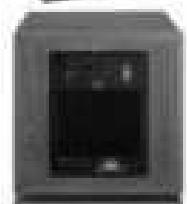
Dali Ikon Vokal One speaker (each)
light oak

\$279.00



Dali Ikon Vokal One speaker (each)
light walnut

\$279.00



Dali Ikon Vokal Two speaker (each)
light oak

\$419.00

	<u>Dali Ikon Vokal Two speaker (each)</u> light walnut	\$419.00	Buy Now!
	<u>Dali Ikon1 loudspeakers (pair)</u> light oak	\$559.00	Buy Now!
	<u>Dali Ikon2 loudspeakers (pair)</u> light oak	\$739.00	Buy Now!
	<u>Dali Ikon2 loudspeakers (pair)</u> light walnut	\$739.00	Buy Now!
	<u>Dali Ikon5 loudspeakers (pair)</u> light oak	\$949.00	Buy Now!
	<u>Dali Ikon5 loudspeakers (pair)</u> light walnut	\$949.00	Buy Now!
	<u>Dali Ikon6 loudspeakers (pair)</u> light oak	\$1,120.00	Buy Now!

	<u>Dali Ikon6 loudspeakers (pair) light walnut</u>	\$1,120.00	Buy Now!
	<u>Dali Ikon7 loudspeakers (pair) light oak</u>	\$1,479.00	Buy Now!
	<u>Dali Ikon7 loudspeakers (pair) light walnut</u>	\$1,479.00	Buy Now!
	<u>Dali Megaline Version IV (pair) alpi</u>	\$30,379.00	Buy Now!
	<u>Dali Piano Agile loudspeakers (pair) aluminum</u>	\$1,139.00	Buy Now!
	<u>Dali Piano Ambient speaker (pair) aluminum</u>	\$659.00	Buy Now!

	<u>Dali Piano Noble loudspeakers (pair)</u> aluminum	\$1,469.00	Buy Now!
	<u>Dali Piano Vocal center speaker</u> (each) aluminum	\$429.00	Buy Now!
	<u>Dali Pino Forte subwoofer (each)</u> aluminum	\$969.00	Buy Now!
	<u>Dali Royal Menuet II loudspeakers</u> (pair) cherry	\$659.00	Buy Now!

	<u>Dali Royal Menuet II loudspeakers (pair) gloss black</u>	\$699.00	Buy Now!
	<u>Dali Royal Menuet II loudspeakers (pair) gloss white</u>	\$699.00	Buy Now!
	<u>Dali Royal Scepter loudspeakers (pair) cherry</u>	\$769.00	Buy Now!
	<u>Dali Royal Scepter loudspeakers (pair) gloss black</u>	\$879.00	Buy Now!
	<u>Dali Royal Scepter loudspeakers (pair) gloss white</u>	\$879.00	Buy Now!
	<u>Dali Royal Tower loudspeakers (pair) cherry</u>	\$909.00	Buy Now!

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Product Name+	Price	Buy Now
Dali Royal Vocal center speaker (each) <u>cherry</u>	\$389.00	Buy Now!
		
Dali Royal Vocal center speaker (each) <u>gloss black</u>	\$419.00	Buy Now!
		
Dali Royal Vocal center speaker (each) <u>gloss white</u>	\$419.00	Buy Now!
		

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Sonance Virtuoso V834DR pair
\$1,099.00
\$899.00

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Dali Suite 1.7 loudspeakers (pair)
golden cherry

\$739.00



Dali Suite 1.7 loudspeakers (pair)
silver

\$739.00



Dali Suite 2.8 loudspeakers (pair)
golden cherry

\$949.00



Dali Suite C0.7 center speaker (each)
golden cherry

\$329.00



Dali Suite C0.7 center speaker (each)
silver

\$329.00



Dali Suite C0.8 center speaker (each)
golden cherry

\$389.00

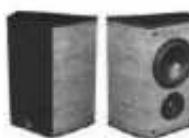




Dali Suite C0.8 center speaker (each)
silver

\$389.00

Buy Now!



Dali Suite R 0.7 speakers (pair) golden
cherry

\$419.00

Buy Now!



Dali Suite R 0.7 speakers (pair) silver

\$419.00

Buy Now!



Dali Suite R 0.8 speakers (pair) golden
cherry

\$459.00

Buy Now!



Dali Suite R 0.8 speakers (pair) silver

\$459.00

Buy Now!



Dali Suite Sub 1.2 (each) black

\$559.00

Buy Now!

	<u>Dali Suite Sub 1.2 (each) golden cherry</u>	\$559.00	Buy Now!
	<u>Dali Suite Sub 1.2 (each) silver</u>	\$559.00	Buy Now!
	<u>Dali SWA-15 subwoofer (each) black</u>	\$1,120.00	Buy Now!
	<u>Dali SWA-15 subwoofer (each) golden cherry</u>	\$1,120.00	Buy Now!
	<u>Dali SWA-8 subwoofer (each) black</u>	\$459.00	Buy Now!
	<u>Dali SWA-8 subwoofer (each) golden cherry</u>	\$459.00	Buy Now!

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